

**UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.<sup>1</sup>

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

Re: ECF No. 20025

**INFORMATIVE MOTION OF THE FINANCIAL OVERSIGHT AND MANAGEMENT  
BOARD FOR PUERTO RICO IN COMPLIANCE WITH ORDER REGARDING THE  
PRODUCTION OF INCARCERATED PRO SE CLAIMANTS FOR HEARINGS  
CONCERNING CLAIM OBJECTIONS [ECF NO. 20025]**

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To the Honorable United States District Judge Laura Taylor Swain:

The Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as the sole Title III representative of the Commonwealth of Puerto Rico (the “Commonwealth”), the Puerto Rico Sales Tax Financing Authority (“COFINA”), the Employees Retirement System

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<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (“Commonwealth”) (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA,” and together with the Commonwealth, COFINA, HTA, ERS, and PREPA, the “Debtors”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

of the Government of the Commonwealth of Puerto Rico (“ERS”), the Puerto Rico Highways and Transportation Authority (“HTA”), the Puerto Rico Electric Power Authority (“PREPA”), and the Puerto Rico Public Buildings Authority (“PBA,” and together with the Commonwealth, COFINA, ERS, HTA, and PREPA, the “Debtors”) pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),<sup>2</sup> respectfully submits this informative motion (the “Informative Motion”) in compliance with the Court’s February 4, 2022 *Order Regarding the Production of Incarcerated Pro Se Claimants for Hearings Concerning Claim Objections* [ECF No. 20025] (the “Incarcerated Claimant Order”), and in support of this Informative Motion, the Oversight Board respectfully states as follows:

1. On December 8, 2021, the Court entered the *Order Regarding Adjourned Omnibus Objections* [ECF No. 19461] (the “Adjourned Objection Hearing Order”) which, *inter alia*, (1) scheduled a hearing on adjourned omnibus objections to claims for February 16-17, 2022, at 9:30 a.m. Atlantic Standard Time (the “Hearing”), and (2) directed the Oversight Board to file, at least 14 days in advance of the Hearing, “an informative motion identifying the Adjourned Claim Objections, claimants, and claims that will be the subject of the [Hearing].” Adjourned Objection Hearing Order at 1–2.

2. In compliance with the Adjourned Objection Hearing Order, on February 2, 2022, the Oversight Board filed the *Informative Motion of the Financial Oversight and Management Board for Puerto Rico Regarding Adjourned Claim Objections Set for Hearing on February 16-17, 2022* [ECF No. 20010] (the “February Claim Objection Hearing Motion”).

3. On February 4, 2022, the Court entered the Incarcerated Claimant Order which, *inter alia*, directed the Oversight Board to (1) “identif[y] each claimant listed in Appendix A of

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<sup>2</sup> PROMESA is codified at 48 U.S.C. §§ 2101–2241.

the [February Claim Objection Hearing Motion] that is currently incarcerated in a prison facility for whom a response form indicating an intent to participate in the Hearing has been returned” and (2) attach “a proposed order to produce each claimant to appear by remote means in connection with the Hearing.” Incarcerated Claimant Order at 1-2. Further, the Court directed that “[e]ach proposed order shall include the following: (i) the inmate’s full name, (ii) the inmate’s register number or inmate identifier (to the extent known), (iii) the prison facility’s name and location, (iv) the Hearing date and time, and (v) the virtual platform for the Hearing.” *Id.* at 2.

4. In compliance with the Incarcerated Claimant Order, the Oversight Board hereby informs the Court that two (2) claimants identified on Appendix A to the February Claim Objection Hearing Motion are currently incarcerated (collectively, the “Incarcerated Claimants”). These claimants are:

- a. Obe E. Johnson (Proof of Claim Nos. 177676, 178772, and 177765), scheduled for hearing on February 16, 2022 at 11:30 a.m. (AST); and
- b. William Roman Morales (Proof of Claim Nos. 179391, 178943, and 179392), also scheduled for hearing on February 16, 2022 at 11:30 a.m. (AST).

5. As of the filing of this Informative Motion, Mr. Johnson is the only Incarcerated Claimant who has submitted a response form indicating an intent to participate in the Hearing.

6. In compliance with the Incarcerated Claimant Order, attached hereto as **Exhibit A** is a proposed order (the “Proposed Order”) to produce Mr. Johnson to appear by remote means at the Hearing.

7. In further compliance with the Incarcerated Claimant Order, to the extent the Oversight Board receives a response form from Mr. Roman Morales after the filing of this Informative Motion, or otherwise becomes aware that a claimant scheduled to appear at the

Hearing has been incarcerated, the Oversight Board will file subsequent informative motions on a rolling basis.

Dated: February 8, 2022  
San Juan, Puerto Rico

Respectfully submitted,

/s/ Brian S. Rosen

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(Admitted *Pro Hac Vice*)

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**EXHIBIT A**

**PROPOSED ORDER**

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.<sup>1</sup>

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

[PROPOSED] ORDER COMPELLING CLAIMANT OBE E. JOHNSON TO APPEAR VIA  
REMOTE MEANS AT FEBRUARY 16, 2022 ADJOURNED CLAIM OBJECTION HEARING

Pursuant to the *Order Regarding Adjourned Omnibus Objections* [ECF No. 19461] (the “Adjourned Objection Hearing Order”), the Court will hold a hearing on certain adjourned omnibus objections to claims on February 16-17, 2022, beginning at 9:30 A.M. Atlantic Standard Time (the “Hearing”).

Claimant **OBE E. JOHNSON** (“Claimant”)<sup>2</sup> is hereby **ORDERED** to appear via remote means and be heard at the Hearing regarding Claimant’s response to the *Three Hundred Seventy-*

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<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

<sup>2</sup> Claimant’s inmate register number or inmate identifier is unknown at this time.

*Fourth Omnibus Objection (Substantive) of the Commonwealth of Puerto Rico, Puerto Rico Sales Tax Financing Corporation, Puerto Rico Highways and Transportation Authority, Employees Retirement System of the Government of the Commonwealth of Puerto Rico, and Puerto Rico Public Buildings Authority to Late-Filed Claims* [ECF No. 17923] with respect to Proofs of Claim Nos. 177676, 178772, and 177765. Pursuant to the *Order Regarding Procedures for Hearings on January 19-20, 2022, and February 16-17, 2022* [ECF No. 19720], the Court will conduct the Hearing using a combination of the audio and video features of the Zoom platform to facilitate Claimant's live participation.

The Court understands Claimant is currently incarcerated at the Guayama Correctional Complex (the "Correctional Facility") located in Guayama, Puerto Rico. Therefore, upon entry of this Order, and consistent with the requirements of the *Order Regarding the Production of Incarcerated Pro Se Claimants for Hearings Concerning Claim Objections* [ECF No. 20025], the Financial Oversight and Management Board for Puerto Rico (the "Oversight Board") is hereby **ORDERED** to provide notice of this Order to the Correctional Facility via cover letter containing (1) the Hearing dial-in information; (2) contact information for counsel to the Oversight Board; and (3) the Court's Hearing registration email address ([promesaregistration@prd.uscourts.gov](mailto:promesaregistration@prd.uscourts.gov)). Further, pursuant to the Adjourned Objection Hearing Order, the Oversight Board shall make a certified interpreter available at the United States District Court for the District of Puerto Rico, 150 Carlos Chardón Street, Federal Building, San Juan, Puerto Rico 00918-1767 to assist Claimant during the Hearing.

SO ORDERED.

Dated: \_\_\_\_\_

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Honorable Laura Taylor Swain  
United States District Judge